

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
S. PHILLIP LENSKI, ADMINISTRATIVE LAW JUDGE

Shango DamBallah #137525.....APPELLANT

VS.

RECEIVED
JUL 10 2014
SC Court of Appeals

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS.....RESPONDENT

MOTION FOR PERMISSION OF LEAVE
TO PROCEED IN FORMA PAUPERIS

Now comes the Appellant, Shango DamBallah, who moves this court pursuant to Rule 3(b), ScRcP, for permission of leave to proceed In Forma Pauperis by showing the following:

- 1) In the instant case before this court, appellant has alleged that his sentence related Good-Time and Earned Work Credits have been incorrectly calculated by the department.
- 2) The Appellant is unable to pay the cost of this action.
- 3) Appellant will provide this court with a copy of a financial certificate verifying his Indigency as soon as it return from the appropriate office.

4) Petitioner has a right to proceed in this action for a judicial review pursuant to S.C. Const. Art. I§22, Rule 203(6) SCACR, and AL-SHABAZZ V. STATE, 338 S.C 354, 527 S.E.2d 742(2000)

CONCLUSION

Because this action involves the loss of Good-Time and Earned Work credits, Appellant is entitled to proceed In Forma Pauperis. SEE...FURTICK V. S.C. Dept. of Corr., 374 S.C. 334, 340 649 S.E. 2d 35, 28(2007)(Finding the loss of Good-Time Credits implicates a State-Created Liberty Interest), EX PARTE MARTIN, 321, S.C. 533, 535, 471 S.E. 2d 134-135(1995)("motions to proceed In Forma Pauperis may be granted only when authorized by the Statute or required by Constitutional provisions.

JULY 4, 2014

S/ Shango DamBallah

Shango DamBallah #137525
KERSHAW CORRECTIONAL INST.
4848 GOLDMINE HIGHWAY
PB #18
KERSHAW, SOUTH CAROLINA 29067

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S.PHILLIP LENSKI, ADMINISTRATIVE LAW JUDGE

CASE No. 13-ALJ-04-0918-AP

Shango DamBallah #137525.....Appellant

vs.

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS.....RESPONDENT

PROOF OF SERVICE

I certify that I have sent a copy of Appellant's Motion For permission of leave to proceed In Forma Pauperis to ALC Judge S.Phillip Lenski as well as serving the same on Daniel J. Crooks III, by depositing it in the KERSHAW Correctional Mailbox with postage affixed and addressed to the office of General Counsel at P.O. BOX 21787, 4444 BROAD RIVER ROAD, COLUMBIA S.C. 29221-1787 this 4th day of JULY,2014.

Cc: HONORABLE S.PHILLIP LENSKI
ADMINISTRATIVE LAW COURT
1205 PENDLETON ST. SUITE 224
COLUMBIA, S.C. 29201

S/ Shango DamBallah
Shango DamBallah #137525
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